

REMARKS

The drawings have been objected to because there are gaps in figures 1 and 2 and no lead line in figure 2. Please note that figure 2 has been amended to include the lead line. As to figures 1 and 2, the Applicant is currently amending the figures and will file the drawings when they are complete.

Claims 1-6, 9 and 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Urciuoli et al, U.S. Patent No. 5,507,406.

The Examiner's rejection is respectfully traversed.

As amended, the Applicant's invention is directed to a blister pack for receiving and containing an article to be packaged. The blister pack includes a front part having a recessed portion and a back part having a relieved portion adapted for an insertion into the recessed portion of the front part for closure of the pack. The two portions include cooperating locating means on the front and back parts respectively to maintain the pack in a closed position. The locating means includes an abutment on the inner wall surface of the recessed portion of the front part and a cooperating abutment on the outer wall surface of the relieved portion of the back part. The inner and outer wall abutments being located thereon such that they become inter-engaged to close the pack only when the back part is contained wholly within the recessed portion of the front part. The abutment of the inner wall surface of the recessed portion of the front part extends inward from the wall surface to a greater extent than that by which the abutment of the relieved portion of the back part extends outward from the outer wall surface thereof.

On the other hand, Urciuoli'406 is directed to a tamper-proof container, however, the container is not the same as that of the Applicant's container. Specifically, when

looking at figure 3 of Urciuoli '406, abutment 348 on the inner wall surface of the recessed portion on the front part 311 extends inward from the wall surface to a lesser extent than that by which the abutment 353, 355 on the relieved portion on the back part 351 extends outward from the outer wall surface thereof.

On the other hand, the Applicant's invention is just the reverse of this whereby the abutment 29, as shown in figure 2 of the drawings, extends inward from the wall surface with the front part to a greater extent than the abutment 30 extends outward from the back part. It is specifically this portion by which the abutment 30 cannot be seen since it is too small and is hidden behind the abutment 29. This is what disguises the pack as welded pack, and thus appears not to be readily opened. This is not what the Urciuoli pack looks like. In fact, in all of the examples of Urciuoli, it is simply a matter of pulling down on the tab 314 or its equivalent in the other figures, in order to open the pack very easily. Additionally, when reading the disclosure of Urciuoli, the patent is directed to a tamper-proof/ tamper-evident container wherein the purpose is to produce visible evidence of whether the package has been opened and then resealed. On the other hand, the Applicant's invention is to have a blister pack, which resembles a welded pack and thus does not appear to be openable by hand. The Applicant's invention appears to be patentably distinguishable over the prior art of record by both having claims which are not equivalent nor do they produce equivalent products.

Claim 8 has been rejected under 35 U.S.C § 103 as being unpatentable over Urciuoli et al, '406.

The Examiner's rejection is respectfully traversed.

As claim 8 is a dependent claim and the Applicant believes that claim 1 is

patentably distinguishable from the art, all dependent claims and dependent therefrom are also patentably distinguishable from the prior art of record.

Claims 1-10 have been rejected under 35 U.S.C § 103 as being unpatentable over Goulette, U.S. Patent No. 5,220,999 in view of Urciuoli et al'406.

The Applicant's rejection is respectfully traversed.

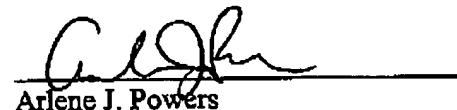
Goulette '999 is directed to a nestable hinch container for the display and storage of consumer articles. The Examiner has cited a blister pack having a front part and a back part with locating means with abutments cooperating to close the pack. The Examiner has stated that Goulette lacks, or does not expressly disclose the back portion wholly within the front part.

Again, the Applicant's invention is not suggested or disclosed in either of the references and there is no suggestion to have a blister pack, which resembles a welded pack wherein the abutment on the inner wall surface of the recessed portion on the front part extends inward from the wall surfaced to a greater extent than that by which the abutment of the relieved portion of the back part extends outward from the outer wall surface thereof. Again, this makes it such that one cannot determine that the tack is actually openable by hand.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicant respectfully contends that Urciuoli '406 does not anticipate the claimed invention under the provisions of 35 U.S.C. § 102(b). The Applicant respectfully contends that Goulette'999 does not render the application obvious under the provisions of 35 U.S.C. § 103. Thus, claims 1-10 are considered to be patentably distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,



Arlene J. Powers
Registration No. 35,985
Gauthier & Connors
225 Franklin Street, Suite 2300
Boston, Massachusetts 02110
Telephone: (617) 426-9180
Extension: 110

AMENDMENTS TO THE DRAWINGS

Applicant hereby submits one (1) sheet of substitute drawings, which adds a lead line for reference number 25 in Figure 2.